

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

THE CITY OF BLAINE, *et al.*,

Plaintiffs,

v.

GOLDER ASSOCIATES, INC., *et al.*,

Defendants.

No. C03-0813RSL

ORDER DENYING PLAINTIFFS'
MOTION IN LIMINE REGARDING
TESTIMONY OF ENGINEERING
EXPERT

This matter comes before the Court on "Plaintiffs' Motion in Limine Regarding the Testimony of Defendants' Engineering Expert, Mitigation of Damages After August 5, 1999, and Mitigation of Damages During July 1999." Dkt. # 332.¹ While reaffirming its prior decisions regarding the mitigation defense, the Court finds that much of Patrick Roe's report and many of his opinions go to the foreseeability of the losses claimed by plaintiffs. The motion in limine is, therefore, DENIED.

DATED this 12th day of May, 2006.



Robert S. Lasnik
United States District Judge

¹ This matter can be decided on the papers submitted by the parties. Plaintiffs' request for oral argument is DENIED.